

NOTICE TO BIDDERS

Notice is hereby given that the City Council of the City of Hollister, County of San Benito, State of California, hereby invites sealed Proposals of Bids for the following work to be done according to Plans and Specifications on file, adopted therefore, to wit:

RUNWAY 13-31 SAFETY AREA IMPROVEMENTS AIP No. 3-06-0105-15

Sealed Proposals for the above-mentioned work shall be received at the office of the City Clerk, City Hall, Hollister, California, until **3:00 pm**, in which the City Clerk's Office shall determine if Bid submittal time had expired by confirming the official time as shown on the City's computer system, on **July 25, 2012** at which time they shall be publicly opened and read aloud at **3:00 pm** in the **City Clerk's Conference Room** of the Hollister City Hall at 375 5th Street, Hollister, California. **It is the Bidder's responsibility to ensure that said Bid is received by the City Clerk, at the City Clerk's Office, prior to the aforementioned designated date and time.**

There will be a mandatory Pre-Bid meeting at 10:00 am on July 19, 2012 at the Airport Terminal Building, City of Hollister Municipal Airport, 90 Skylane Drive #101, Hollister, CA. This meeting is to inform Bidders of required Disadvantaged Business Enterprise (DBE), Insurance requirements, and subcontracting. Bidders' attendance is a prerequisite for demonstrating reasonable good faith effort to obtain DBE participation, however, if the DBE goal is obtained as specified within these special provisions, attendance is not required. Also, the Contractors may ask questions regarding the project, scope of work, plans and specifications. Subsequent to the meeting a tour of the Project site will be made for those wishing to attend.

In accordance with California Public Contract Code 20103.5 when federal funds are involved in local agency contracts, ***no bid shall be invalidated by the failure of the bidder to be licensed in California at the time of bid opening. However, at the time of award the selected contractor shall be properly licensed in accordance with laws of the State and the City of Hollister.*** Contractor shall possess a Type "A" license prior to award of Contract or other license qualifying the bidder to bid as a prime Contractor, prior to award of Contract as approved by Council.

DISADVANTAGED BUSINESS ENTERPRISE (DBE): There is no DBE project goal established for this project. At this time the City will meet the DBE goal on federally assisted projects through race neutral measures. The City supports the use of race neutral measures to facilitate participation by DBEs and other small businesses, and encourages prime contractors to subcontract portions of their work that they might otherwise perform with their own forces.

THIS PROJECT IS SUBJECT TO THE "BUY AMERICA" PROVISIONS OF THE SURFACE TRANSPORTATION ASSISTANCE ACT OF 1982 AS AMENDED BY THE INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT OF 1991.

The City of Hollister reserves the right to reject any or all Proposals and to waive any informality in Proposals received. **By submitting a bid, it is assumed that the Contractor has inspected the site and the**

bid submitted reflects that the Contractor is satisfied as to the existing conditions, said conditions being reflected in the bid.

Each bid shall be in accordance with the Plans and Specifications adopted therefore, submitted on the Proposal form furnished and accompanied by a certified or cashier's check or bidder's bond made payable to the City of Hollister, for an amount equal to at least **ten percent (10%)** of that amount of the bid, such guaranty to be forfeited should the bidder to whom the Contract is awarded fail to enter into the Contract within **fifteen (15)** days after notification of the award of Contract to the bidder and shall diligently prosecute the work to completion on or before the expiration of **one hundred twenty five (125) working days** for the overall project after said notification.

For any moneys earned by the Contractor and withheld by the City of Hollister to ensure the performance of the Contract, the Contractor may, at his/her request and expense, substitute securities equivalent to the amount withheld in the form and manner and subject to the conditions provided in Section 22300 of the Public Contracts Code of the State of California, and the City Disadvantaged Business Enterprise (DBE) Program, prompt payment provisions.

Copies of the Plans and Specifications can be reviewed as follows:

- a) Hard copies can be purchased for a non-refundable payment of \$75.00 per set. Orders can be placed through the following website:

www.sjblue.com

Click on - "Enter PlanWell Planroom" & "Public Planroom" "GO" (bottom left corner)
Type Hollister in "Find Box"

- b) Electronic copies can be downloaded for printing from the following website:

<http://www.ebidboard.com/>

Sale of Project Plans and Specifications are final and may not be returned for refund.

STANDARD SPECIFICATIONS, DESIGN STANDARDS AND STANDARD PLANS, City of Hollister, Engineering Department, may be downloaded on the City of Hollister website at no charge at:
<http://www.usspecbook.com/CA/Hollister&tab=sups>

NOTE: For Bid package to be VALID: (1) the Bidder shall submit Bid for all Bid items; (2) the Contractor and all Subcontractors shall have a valid, current, and active Contractor's California license for the classification of work performed, at the time of Award of Bid; (3) the Bidder shall submit all Federal and City of Hollister forms (completely executed and signed).

All prospective Contractors may use the website <http://www.cslb.ca.gov/contractors/default.asp> to check each Subcontractor's license status and expiration dates.

The list of Subcontractor(s) shall be submitted by the bidder together with the Proposal. Use the form supplied in the Contract documents. If no such list is submitted, it shall be assumed that the Contractor shall do all the work herein specified.

In lieu of conflicting portions of "Section 2-1.05 Proposal Forms" of the Standard Specifications, the following shall apply:

Only bids, composed of the above listed items will be considered for award. Any and all Addenda to the Plans and Specifications shall be issued by fax and/or certified mail *ONLY* to bidders who are registered with and have received a set of Plans and Specifications from the Hollister Engineering Services Department. The City shall not be responsible for issuance of said Addenda to non-registered Plan holders.

The successful bidder and all Subcontractors must have a valid City of Hollister business license before the commencement of work.

All wage scales shall be in accordance with applicable determinations made by the Director of the Department of Industrial Relations of the State of California, as provided by Article 2, Chapter 1, Division 2, Part 7 of the Labor Code of the State of California, commencing with Section 1771. In accordance with Section 1773.2 of the said Labor Code, copies of the aforesaid determinations of the Director of the Department of Industrial Relations are available on the website address:

http://www.dir.ca.gov/DLSR/statistics_research.html (Public Work Decision). **It shall be mandatory for any Contractor to whom a Contract is awarded to pay not less than the applicable prevailing wage rate to all workers employed for the execution of the Contract and employ apprentices pursuant to Section 1777.5 of the California Labor Code.**

The Federal minimum wage rates for this project as predetermined by the United States Secretary of Labor are set forth in these Special Provisions. Addenda to modify the Federal minimum wage rates, if necessary, shall be issued to holders of these Specifications. Future effective general prevailing wage rates that have been predetermined and are on file with the California Department of Industrial Relations are referenced but not printed in the general prevailing wage rates.

If there is a difference between the minimum wage rates predetermined by the Secretary of Labor and the general prevailing wage rates determined by the Director of the California Department of Industrial Relations for similar classifications of labor, the Contractor and subcontractors shall pay not less than the higher wage rate. The Department will not accept lower State wage rates not specifically included in the Federal minimum wage determinations. This includes "helper" (or other classifications based on hours of experience) or any other classification not appearing in the Federal wage determinations. Where Federal wage determinations do not contain the State wage rate determination otherwise available for use by the Contractor and subcontractors, the Contractor and subcontractors shall pay not less than the Federal minimum wage rate that most closely approximates the duties of the employees in question.

The U.S. Department of Transportation (DOT) provides a toll-free "hotline" service to report bid-rigging activities. Bid-rigging activities can be reported Mondays through Fridays, between 8:00 a.m. and 5:00 p.m., Eastern Time, Telephone No. 1-800-424-9071. Anyone with knowledge of possible bid rigging, bidder collusion, or other fraudulent activities should use the "hotline" to report these activities. The "hotline" is part of the DOT's continuing effort to identify and investigate highway construction contract fraud and abuse and is operated under the direction of the DOT Inspector General. All information will be treated confidentially and caller anonymity will be respected.

CERTIFICATION OF NONSEGREGATED FACILITIES - 41 CFR PART 60-1.8

Notice to Prospective Federally Assisted Construction Contractors

1. A Certification of Non-segregated Facilities shall be submitted prior to the award of a federally-assisted construction contract exceeding \$10,000 which is not exempt from the provisions of the Equal Opportunity Clause.
2. Contractors receiving federally-assisted construction contract awards exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity Clause will be required to provide for the forwarding of the following notice to prospective subcontractors for supplies and construction contracts where the subcontracts exceed \$10,000 and are not exempt from the provisions of the Equal Opportunity Clause. NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

Notice to Prospective Subcontractors of Requirements for Certification of Non-Segregated Facilities

1. A Certification of Non-segregated Facilities shall be submitted prior to the award of a subcontract exceeding \$10,000, which is not exempt from the provisions of the Equal Opportunity Clause.
2. Contractors receiving subcontract awards exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity Clause will be required to provide for the forwarding of this notice to prospective subcontractors for supplies and construction contracts where the subcontracts exceed \$10,000 and are not exempt from the provisions of the Equal Opportunity Clause. NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

BUY AMERICAN PREFERENCES

- (a) The Aviation Safety and Capacity Expansion Act of 1990 provides that preference be given to steel and manufactured products produced in the United States when funds are expended pursuant to a grant issued under the Airport Improvement Program. The following terms apply:
1. Steel and manufactured products. As used in this clause, steel and manufactured products include (1) steel produced in the United States or (2) a manufactured product produced in the United States, if the cost of its components mined, produced or manufactured in the United States exceeds 60 percent of the cost of all its components and final assembly has taken place in the United States. Components of foreign origin of the same class or kind as the products referred to in subparagraphs b. (1) or (2) shall be treated as domestic.
 2. Components. As used in this clause, components mean those articles, materials, and supplies incorporated directly into steel and manufactured products.
 3. Cost of Components. This means the costs for production of the components, exclusive of final assembly labor costs.
- (b) The successful bidder will be required to assure that only domestic steel and manufactured products will be used by the Contractor, subcontractors, materialmen and suppliers in the performance of this contract, except those:

NOTICE TO BIDDERS – Cont.

1. That the US Department of Transportation has determined, under the Aviation Safety and Capacity Expansion Act of 1990, are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality;
2. That the US Department of Transportation has determined, under the Aviation Safety and Capacity Expansion Act of 1990, that domestic preference would be inconsistent with the public interest; or
3. That inclusion of domestic material will increase the cost of the overall project contract by more than 25 percent.

By order of the Council of the City of Hollister, San Benito County, California.